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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,991	12/11/2003	Ellis Verosub	AOL0113	8868
22862 7590 11/21/2008 GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025				
EXAMINER				
WINTER, JOHN M				
ART UNIT		PAPER NUMBER		
3685				
MAIL DATE		DELIVERY MODE		
11/21/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

**Application No.**

10/734,991

**Examiner**

JOHN M. WINTER

**Applicant(s)**

VEROSUB ET AL.

**Art Unit**

3685

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the paper filed on July 29, 2008.
2. ☒ The allowed claim(s) is/are 30-38 and 59-64.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date <u>3/4/2008</u></li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____.</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
|---|---|

**DETAILED ACTION**  
**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Glenn on September 8, 2008.

Claim 30.

A process, comprising the steps of:

purchasing usage rights for an encrypted asset by sending purchase information from a client machine to a store server; sending a ticket from the store server to the client machine, the ticket comprising an asset ID corresponding to the encrypted asset; launching a download manager at the client machine with the received ticket; sending an asset request for the encrypted asset using the asset ID from the launched download manager at the client machine to a fulfillment server; sending the encrypted asset from the fulfillment server to the client machine in response to the received asset ID; sending a license request from the client machine to the fulfillment server; sending a license from the fulfillment server to the client machine, the license comprising an asset key and the usage rights associated with the encrypted asset; encrypting the asset key and the usage rights at the client machine; binding the encrypted asset key to the client machine; combining the machine-bound encrypted asset key and encrypted user rights into

machine-bound asset rights; storing the machine-bound asset rights within a secure key locker within the client machine; sending an acknowledgement of the receipt of the encrypted asset and the license from the client machine to the fulfillment server; receiving a user request at an output module within the client machine, the user request received from a user for use of the encrypted asset; sending an asset rights request from the output module through a tamper resistant asset rights module within the client machine to the secure key locker to get the machine-bound asset rights; receiving the machine-bound asset rights at the tamper resistant asset rights module from the secure key locker in response to the asset rights request; breaking the machine-bound asset rights at the tamper resistant asset rights module into the encrypted asset key and the encrypted usage rights; sending the encrypted asset key and the encrypted usage rights from the tamper resistant asset rights module to the output module; decrypting the machine-bound encrypted usage rights at the output module; authenticating the user request based upon the machine-bound usage rights; determining at the output module if the use of the encrypted asset requested by the user is allowed by the machine-bound usage rights; based upon the authentication of the user request, performing one of the following steps, either: conditionally decrypting the encrypted asset key, decrypting the encrypted asset with the decrypted asset key, and serving the user request, or preventing use of the asset; and updating the machine-bound usage rights within the secure key locker within the client machine based on the authentication of the request if the machine-bound usage rights are affected by the use.

Claims 39-58 and 65 are canceled.

*Allowable Subject Matter*

Claims 30-38 and 59-64 are allowed over the prior art record.

The following is an Examiner's statement of reasons for allowance:

The closest prior art of record Peinado et al. (US Patent 6,772,340) teaches digital rights management system.

None of the art of record, taken individually or combination disclose at least the steps/components of: " launching a download manager at the client machine with the received ticket; sending an asset request for the encrypted asset using the asset ID from the launched download manager at the client machine to a fulfillment server; sending an asset request for the encrypted asset using the asset ID from the client machine to the a fulfillment server; sending the encrypted asset from the fulfillment server to the client machine in response to the received asset ID; sending a license request from the client machine to the fulfillment server"

Claim 30 is allowable for the above cited reasons.

Claims 31-38 and 59-64 are dependant upon claim 30 and are therefore allowable for at least the same reasons.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN M. WINTER whose telephone number is (571)272-6713. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Calvin Hewitt can be reached on (571) 272-6709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMW

/Calvin L Hewitt II/  
Supervisory Patent Examiner, Art Unit 3685